# Courts Administration Service

## 2015–16

### Departmental Performance Report

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The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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# Chief Administrator's Message

I am pleased to report on the Courts Administration Service's (CAS) key activities for fiscal year 2015–16. This Departmental Performance Report outlines our progress on the commitments presented in our 2015–16 Report on Plans and Priorities.

In 2015–16, CAS made important strides in a number of priority areas. In particular, funding earmarked in Budget 2015 for the physical and IT security of the federal courts and registry offices allowed the organization to realise concrete and essential progress on these two fronts. These enhancements will ensure security measures respond to the distinct needs and challenges of the courts.

To continue to build on the progress made, CAS sought funding announced in Budget 2016 to invest in IT infrastructure upgrades to safeguard the efficiency of the federal court system. All these efforts have positioned us to continue to advance in providing the security measures and the IT infrastructure and systems that better meet the challenges faced within our operational context.

CAS's achievements in 2015–16 are a testament to the tremendous amount of work performed by our employees across the country. To help maintain a strong workforce, we focused our efforts on enhancing training opportunities, maintaining an open dialogue with employees and promoting excellence within our organization.

I wish to express my sincere appreciation to the Chief Justices and members of the courts for their continued support, and to CAS employees for their unwavering commitment and professionalism.

I invite you to read this report and learn about our achievements in 2015–16.

Daniel Gosselin, FCPA, FCA
*Chief Administrator*

# Section I:
# Organizational Overview

## Organizational Profile

**Minister:** The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.

**Chief Administrator:** Daniel Gosselin

**Ministerial Portfolio:** Minister of Justice and Attorney General of Canada

**Enabling Instrument:** *Courts Administration Service Act*[i]

**Year of Incorporation / Commencement:** 2003

# Organizational Context

## Raison d'être

The Courts Administration Service (CAS) was established in 2003 with the coming into force of the *Courts Administration Service Act* (the Act). The role of CAS is to provide effective and efficient judicial, registry and corporate services to four superior courts of record – the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. The Act enhances judicial independence by placing administrative services at arm's length from the Government of Canada and enhances accountability for the use of public money.

## Responsibilities

CAS recognizes the independence of the courts in the conduct of their own affairs and aims to provide each court with quality and efficient administrative and registry services. Pursuant to section 2 of the Act, CAS is mandated to:

- facilitate coordination and cooperation among the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada for the purpose of ensuring the effective and efficient provision of administrative services;
- enhance judicial independence by placing administrative services at arm's length from the Government of Canada and by affirming the roles of chief justices and judges in the management of the courts; and
- enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary.

## Judicial Independence

Judicial independence is a cornerstone of the Canadian judicial system. Under the Constitution, the judiciary is separate from, and independent of the executive and legislative branches of the Government of Canada. Judicial independence is a guarantee that judges will make decisions free of influence and based solely on fact and law. It has three components: security of tenure, financial security and administrative independence.

## Strategic Outcome and Program Alignment Architecture

**1. Strategic Outcome:** The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

**1.1 Program:** Judicial Services

**1.2 Program:** Registry Services

**Internal Services**

## Operating Environment and Risk Analysis

In 2015–16, the increased demand on CAS's resources remained a key risk driver. This was partially mitigated as the organization successfully secured program integrity funding through Budget 2015 to invest in key enhancements in physical and IT security at federal courts and registry offices across Canada. These funds will address some of the most prescient risks in these key areas.

The inability of the judicial support legacy systems and the aging IT infrastructure to meet the increasingly divergent operational requirements and the evolving needs of the courts continued to drive risks discussions across the organization. In particular, the significant limitations of legacy systems and their incompatibility with current technology posed many challenges that affected CAS's ability to meet the public demand for efficient online court services.

In addition, augmentation in non-discretionary expenses — stemming from the increased workload of the federal courts and the high number of court decisions requiring translation — continued to magnify CAS's risk exposure.

## Key Risks

| Risk | Risk Response Strategy | Link to the Organization's Program(s) |
|---|---|---|
| **Access to Justice** – There is a risk that access to justice could be impacted by competing priorities for limited resources. | • Applied for program integrity funding (primarily for judicial support systems and IT infrastructure).<br>• Continued discussions with the central agencies to identify appropriate mechanism to fund non-discretionary expenditures.<br>• Conducted frequent reviews of expenditures, commitments and staffing action to rapidly identify pressures on available resources and reallocate funding where mostly needed. | **Programs** – Judicial Services and Registry Services |

| Risk | Risk Response Strategy | Link to the Organization's Program(s) |
|---|---|---|
| **Information Technology** – There is a risk that the IT infrastructure and systems applications will be unable to meet the current and evolving operational requirements of the Courts and CAS. | • Developed and initiated an action plan to improve IT network performance, infrastructure and equipment. In particular, CAS:<br>◦ Made progress on actions to optimize its IT infrastructure and network performance;<br>◦ Improved email access, mobile Internet and electronic access to documents;<br>◦ Upgraded IT equipment for end users; and<br>◦ Upgraded to Windows 7.<br>• Sought additional funding announced in Budget 2016 to invest in necessary remediation and enhancements of the IT infrastructure supporting the courts. | **Programs** – Judicial Services and Registry Services |
| **Security** – There is a risk that the security of the members of the judiciary, clients, and CAS staff, facilities, information and IT could be seriously compromised. | • Made advancements on CAS's national security agenda to enhance its security program. In particular, made progress on:<br>◦ Enhancing security controls and response capabilities;<br>◦ Harmonizing security delivery standards across Canada;<br>◦ Enhancing the physical security of CAS facilities used in support of the programs;<br>◦ Maintaining ongoing collaboration with the law enforcement community and portfolio partners to strengthen and integrate intelligence-led capacity;<br>◦ Implementing the CAS revised emergency security plans.<br>• Secured funding for security initiatives. | **Programs** – Judicial Services and Registry Services |

### Access to Justice

CAS remained responsive to its critical program and operational risks. In particular, internal risks drivers such as the evolving workload pressures were triggered by the continued escalation in the number of multi-day hearings, the rise in the number of documents received by the courts and the increase in the number of self-represented litigants. These internal risks drivers, combined with asset rust-out, program price inflation and other program costs, continued to exert tremendous pressures on CAS's limited resource base.

External risk drivers included the evolving technology and the corresponding public demand for online services, government-wide rules and legislative changes, and the ongoing requirement to support previous budget spending reviews. These drivers necessitated the need to identify and implement appropriate and functional controls to mitigate associated risks while enabling CAS's business areas to effectively and efficiently execute their mandated responsibilities.

To further mitigate this risk, CAS continued to conduct frequent reviews of its expenditures, commitments and staffing action to facilitate rapid identification of pressures and reallocated funding to ease the financial and resource pressures to the extent possible. CAS also maintained its application for program integrity funding for activities outside the scope of the physical and IT security funding approved in Budget 2015.

### Information Technology

In 2015–16, efforts to support the transition to electronic courts continued to be impacted by the significant limitations of legacy court and registry management systems and their incompatibility with evolving technology. Taking into consideration the results of an IT Architecture and Computing Environment (ACE) Assessment, and given its resource constraints, CAS focused its efforts on addressing some of the most critical recommendations to improve the IT infrastructure reliability and security. Risk mitigation strategies – formulated in the IT strategy and roadmap – were updated and included plans and projects for a sustainable long-term IT solution.

An important milestone was achieved in mitigating this risk as Budget 2016 announced funding for CAS to invest in IT infrastructure upgrades to safeguard the efficiency of the federal court system. A five-year IT infrastructure management plan was developed to implement related activities effectively and efficiently.

Ongoing and growing demand from court users for modern technology to conduct business with the courts continues to drive the need for significant enhancements in judicial support systems and IT infrastructure. Substantial investments are required to effectively manage this risk.

### Security

The results of a comprehensive Threat and Risk Assessment (TRA) completed in 2013–14, the evolving security requirements of the courts and CAS as well as the ongoing threats on the national and international scene continued to drive this risk in 2015–16. CAS advanced its national security agenda, which includes implementing comprehensive security programs on behalf of the courts, harmonizing security service standards across Canada, and enhancing security controls and response capabilities.

Plans were formulated and initiated to invest the $19 million over five years earmarked in Budget 2015 to enhance the physical and IT security of the federal courts and registry offices, including measures such as additional cameras, security personnel and screening tools for the proper functioning of the courts. These investments will help guard against security breaches and allow the courts to continue to protect judicial confidentiality, personal information and sensitive commercial information in their possession.

## Organizational Priorities

**Priority 1: Security**

**Description:** Strengthen security for members of the courts, court users and employees

**Priority Type:** Previously Committed to

### Key Supporting Initiatives

| Planned Initiatives | Start Date | End Date | Status | Link to the Organization's Program(s) |
|---|---|---|---|---|
| Make advancements on CAS's national security agenda by continuing to implement a comprehensive security program on behalf of the Courts. | 2014–15 | 2020–21 | On track | **Programs** – Judicial Services and Registry Services |
| Enhance security controls and response capability, harmonize security service delivery standards across Canada and introduce more effective and efficient security technologies. | 2014–15 | 2020–21 | On track | |
| Continue to make enhancements to the physical security of its facilities, screening equipment, CCTV (closed-circuit television) and security officers programs. | 2015–16 | 2020–21 | On track | |
| Maintain ongoing collaboration with the law enforcement community, portfolio partners, central agencies and other strategic partners to strengthen and integrate intelligence-led capacity and ensure that CAS responds effectively to emerging threats. | 2014–15 | N/A | On track | |
| Review the CAS emergency security plans to incorporate improvements for increased emergency readiness. | 2015–16 | 2020–21 | On track | |

### Progress Toward the Priority

In 2015–16, CAS continued to reinforce the conditions necessary to sustain and further enhance the level of security and protection afforded to the members of the courts, court users, its employees and assets. The CAS national security program, which incorporated the results of the TRA conducted in 2013–14, continued to promote a systematic and consistent approach to prevention, detection, mitigation, response and recovery and served as a roadmap for the organization in 2015–16. It also facilitated improved communication and coordination in the identification and response to threats or security incidents.

Emphasis was placed on building the organization's resource capacity to better serve the physical security needs of the courts and CAS, enhance security controls and response capability, harmonize security service delivery standards across Canada, and introduce more effective and efficient security technologies. Efforts were also applied to protect the organization's systems and information of business value against cyber threats, electronic intrusions, corruption and destruction.

Efforts exerted in 2013–14 to address program integrity issues resulted in the identification of $19 million over five years in Budget 2015 to invest in physical and IT security measures for the federal courts and registry offices across the country. To enhance the security of the operations and facilities, security requirements for the courts and CAS were further defined taking into consideration the evolving needs of the courts. Particular attention was given to developing a standardized approach to effectively manage security risks, further safeguarding sensitive court data, as well as clarifying and refining the requirements for the courts screening program and security equipment.

Through ongoing collaboration with the law enforcement community, central agencies and other portfolio and strategic partners, CAS ensured its effective and intelligence-led responses to emerging threats to prevent, mitigate, and recover from security incidents in a systematic and consistent way. CAS also continued the review of its emergency plans including its Security Risk Assessments, Business Continuity Plan, Fire Evacuation Plan, Security Escalation Plan and Information Management Plan to minimize or mitigate interruption of essential services in the event of an emergency or crisis.

**Priority 2: Information Management and Information Technology (IM/IT)**

**Description:** Provide a robust, reliable and secure IM/IT infrastructure and modernize judicial support systems.

**Priority Type:** Previously Committed to

## Key Supporting Initiatives

| Planned Initiatives | Start Date | End Date | Status | Link to the Organization's Program(s) |
|---|---|---|---|---|
| • Identify and secure additional funding. | 2014–15 | 2019–20 | On track | **Programs** – Judicial Services and Registry Services |
| • Continue to implement the IT roadmap (revised to include the ACE assessment results) with focus on stabilizing the network platform, upgrading IT infrastructure and supporting the electronic requirements of the courts. | 2014–15 | 2019–20 | On track | |
| • Maintain and update critical legacy systems to ensure ongoing operations and mitigate technological risks to the extent possible. | 2014–15 | 2020–21 | On track | |
| • Pilot e-court and e-filing tools for members of the courts and litigants. | 2015–16 | 2016–17 | Delayed | |
| • Continue to conduct needs assessments to augment IT security and client services, and better serve the needs of the courts and litigants. | 2014–15 | 2016–17 | On track | |

### Progress Toward the Priority

In 2015–16, CAS continued to implement its IT roadmap and took remedial action to ensure ongoing operations, to address rust-out and to deal with gaps in infrastructure including deterioration or obsolescence of hardware and software critical to meeting operational requirements that may pose a risk to maintaining minimal service delivery standards. Efforts were also employed to stabilize the network platform and increase its capacity.

Working closely with members of the courts, CAS conducted needs assessments, identified alternate solutions to address gaps in some of the core legacy systems and took appropriate measures to augment IT security. System efficiency issues were also addressed to better serve the needs of the courts and litigants.

Focus was placed on attracting and engaging high potential IT talent with strong capabilities and leadership capacity, and on addressing projected gaps in specific skills that may pose a threat to the achievement of CAS's current and future priorities and long-term business goals. This strategy placed CAS in a better position to more effectively address the recommendations of the various IT assessments previously commissioned, and to make advancements on other planned initiatives.

An efficient digital court environment necessitates significant investments. In 2015–16, CAS maintained its application for program integrity funding in support of initiatives that fall outside the scope of the physical and IT security funding approved in Budget 2015. Budget 2016 provided $7.9 million over five years for investments in IT infrastructure upgrades to safeguard the efficiency of the federal court system. This additional funding will expedite addressing rust-out, help address the recommendations previous assessments of the IT environment, help improve IT performance and security, and better support current systems. It will also enable the timely renewal of IT assets while building the necessary foundation to support the transition to increased use of electronic court services.

CAS must continue to seek additional funding for investments in a modern Courts and Registry Management System (CRMS) to render it capable of supporting electronic document management and the provision of integrated e-services. The enhancement of CRMS is key to the delivery of CAS's core mandate and to efficiently and effectively support the four federal courts and their users.

**Priority 3: Human Resources Management**

**Description:** Support the needs of employees.

**Priority Type:** Previously Committed to

## Key Supporting Initiatives

| Planned Initiatives | Start Date | End Date | Status | Link to the Organization's Program(s) |
|---|---|---|---|---|
| • Develop and implement a succession plan for critical positions to address projected gaps in specific skills that may pose a threat to the current and future achievement of organizational business goals. | 2012–13 | 2018–19 | On track | **Programs** – Judicial Services and Registry Services |
| • Invest in employee training and development to foster a work environment that is conducive to high performance, to attract and retain top talent, and to drive priorities and strategic business objectives. | 2013–14 | 2017–18 | On track | |
| • Enhance the operational training currently in place to better meet the development needs of registry officers and judicial assistants. This would include updating the content of the training, restructuring the modules to allow for greater flexibility and timely delivery and integrating quality control throughout this process. | 2014–15 | 2017–18 | On track | |
| • Continue to encourage meaningful dialogue between management and employees to ensure the ongoing generation of ideas, address issues raised and establish a culture of engagement. | 2014–15 | 2018–19 | On track | |

**Progress Toward the Priority**

CAS has identified a critical need to develop a pool of talent to staff positions that are vital to the organization's evolving and ongoing operations and long-term goals. Key positions were identified and have been used to initiate the development and implementation of a succession plan to address projected gaps in skills needed to support core business objectives.

To continue to promote an environment conducive to high performance and support organizational priorities and business objectives, CAS invested in employee training and development. Various webinars and WebEx sessions were made available to employees across Canada to help them develop and maintain key competencies and to facilitate innovative solutions and enhancements to the services provided by CAS. The organization also continued to support the Government of Canada's Blueprint 2020 commitment to learning through the Canada School of Public Service (CSPS) and identified candidates for the new CSPS development programs for managers, aspiring directors and supervisors. In addition, a survey on learning and development opportunities was conducted to help highlight areas for improvement and develop an action plan.

In 2015–16, to help maintain a healthy workplace, emphasis was placed on promoting mental health awareness through dissemination of information including training sessions and presentations. CAS also continued to promote an open and constructive dialogue between management and employees. In order to keep employees engaged and obtain a clear picture of their concerns, consultation sessions were held with employees and focus groups, and a survey of all employees was conducted. In 2016–17, the results of this exercise will inform the development of an action plan to address the concerns raised.

Finally, emphasis was placed on the implementation of the Government of Canada Directive on Performance Management. Through meaningful dialogue including follow-up discussions between management and employees, performance management exercises were conducted with employees across the organization.

# Section II:
# Expenditure Overview

## Actual Expenditures

### Budgetary Financial Resources (dollars)

| 2015–16 Main Estimates | 2015–16 Planned Spending | 2015–16 Total Authorities Available for Use | 2015–16 Actual Spending (authorities used) | Difference (actual minus planned) |
|---|---|---|---|---|
| 63,952,587 | 63,952,587 | 75,466,518 | 72,294,670 | 8,342,083 |

### Human Resources (Full-Time Equivalents [FTEs])

| 2015–16 Planned | 2015–16 Actual | 2015–16 Difference (actual minus planned) |
|---|---|---|
| 604 | 620 | 16 |

## Budgetary Performance Summary

### Budgetary Performance Summary for Program(s) and Internal Services (dollars)

| Program(s) and Internal Services | 2015–16 Main Estimates | 2015–16 Planned Spending | 2016–17 Planned Spending | 2017–18 Planned Spending | 2015–16 Total Authorities Available for Use | 2015–16 Actual Spending (authorities used) | 2014–15 Actual Spending (authorities used) | 2013–14 Actual Spending (authorities used) |
|---|---|---|---|---|---|---|---|---|
| Judicial Services | 23,176,362 | 23,176,362 | 27,994,392 | 27,804,032 | 27,605,073 | 27,134,101 | 21,961,589 | 21,333,113 |
| Registry Services | 23,937,466 | 23,937,466 | 24,278,931 | 24,117,428 | 24,511,063 | 23,639,751 | 25,696,130 | 25,014,862 |
| **Internal Services** | 16,838,759 | 16,838,759 | 20,078,320 | 19,942,152 | 23,350,382 | 21,520,818 | 21,492,687 | 20,994,584 |
| **Total** | **63,952,587** | **63,952,587** | **72,351,643** | **71,863,612** | **75,466,518** | **72,294,670** | **69,150,406** | **67,342,559** |

***Note:***

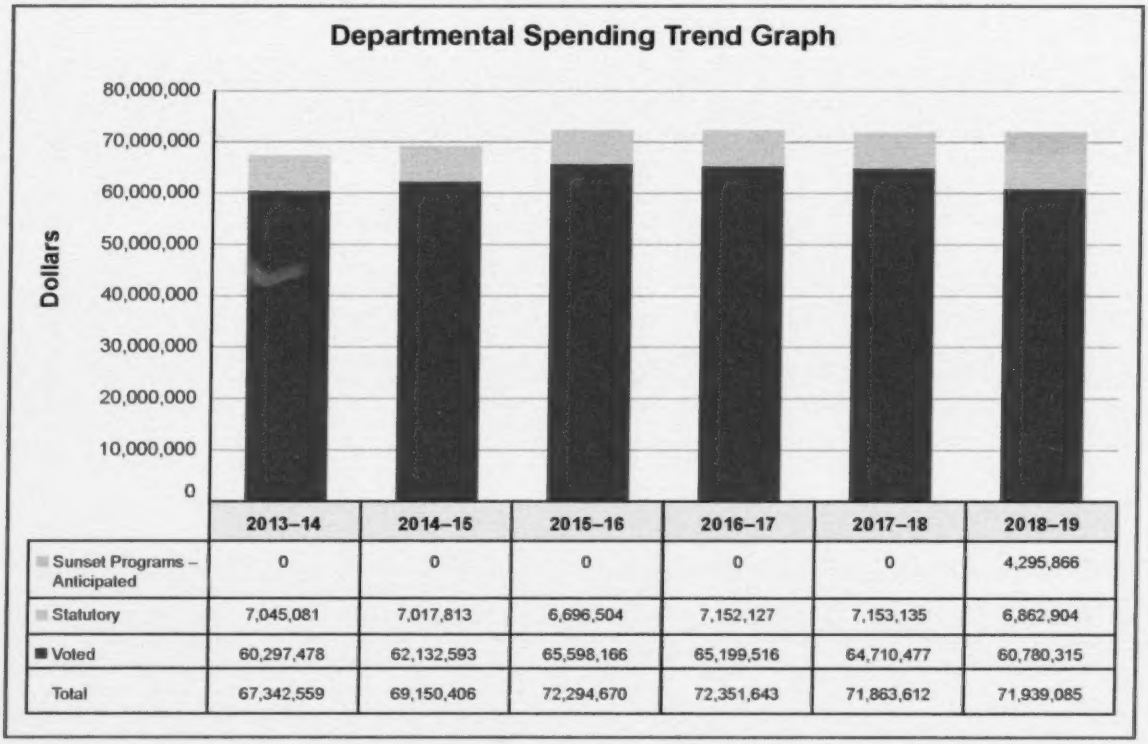
The $11,513,931 variance between 2015–16 planned spending and 2015–16 total authorities available for use is primarily the result of differences between the actual funding received through allocations from Treasury Board Central Votes and the estimated funding amounts in the 2015–16 Report on Plans and Priorities. Specifically, in *Budget 2015* CAS received $4,461,347 for 2015–16 related to physical and IT security for the federal courts. Also, CAS received renewed funding of $3,957,198 related to Division 9 proceedings of the *Immigration and Refugee Protection Act*[ii] aimed at addressing challenges in the management of security inadmissibility cases, protecting classified information in immigration proceedings, and obtaining diplomatic assurances of safety for inadmissible individuals facing a risk of torture. Funding received in relation to the operating budget carry-forward in 2015–16 amounted to $2,376,763. In addition, funding received in relation to paylist expenditures was $648,142, whereas planned spending specifically excludes paylist shortfall estimates. Furthermore, CAS's contributions to employee benefit plans were $50,208 higher than estimated amounts. Other minor variances totalling $20,273 account for the remaining increase.

The variance between 2015–16 total authorities and 2015–16 actual spending represents a lapse of $3,171,848. Of this amount, $532,264 is related to funding for prothonotaries' salaries, pensions, benefits and other administrative arrangements. With the coming into force of Bill C-43 *Economic Action Plan 2014 Act, N°.2*[iii], the jurisdiction for payment has been transferred to the Office of the Commissioner for Federal Judicial Affairs Canada. As a result, associated funding was frozen. Also, $348,000 was frozen for the government back-office transformation initiative and $107,336 was frozen for the 2016 census. Furthermore, $376,532 is related to funding set aside by Treasury Board, within CAS's budget, to support the reform of Canada's refugee determination system and represents a forced lapse. CAS is not authorized to use these funds until a new judicial appointment is made and Treasury Board approval is received. The remaining lapse of $1,807,716 is due to a combination of factors, including $151,669 for a deficit in contributions to employee benefit plans.

# Departmental Spending Trend

## Expenditures by Vote

For information on the Courts Administration Service's organizational voted and statutory expenditures, consult the Public Accounts of Canada 2016[iv].




| | 2013–14 | 2014–15 | 2015–16 | 2016–17 | 2017–18 | 2018–19 |
|---|---|---|---|---|---|---|
| Sunset Programs – Anticipated | 0 | 0 | 0 | 0 | 0 | 4,295,866 |
| Statutory | 7,045,081 | 7,017,813 | 6,696,504 | 7,152,127 | 7,153,135 | 6,862,904 |
| Voted | 60,297,478 | 62,132,593 | 65,598,166 | 65,199,516 | 64,710,477 | 60,780,315 |
| Total | 67,342,559 | 69,150,406 | 72,294,670 | 72,351,643 | 71,863,612 | 71,939,085 |

***Note:***

The increase in actual spending for 2015–16 is largely due to funding announced in *Budget 2015* of $19 million over 5 years for investments in physical security enhancements such as additional cameras, security personnel and screening tools that will help ensure federal courts remain secure and function properly. It will also enable IT enhancements to protect judicial confidentiality, personal privacy and sensitive information. In 2015–16, CAS received $4,461,347 related to this funding. Fiscal years 2013–14 through 2015–16 also include other salary related payments for existing employee benefits such as severance and maternity pay, the option offered to employees to convert severance pay entitlements into cash, and lump sum funding for collective agreements which fluctuate year to year and are not included in planned spending figures for 2016–17 to 2018–19.

Also, increases in fiscal years 2015–16 to 2017–18 are due to an increase in the renewed funding related to Division 9 proceedings of the *Immigration and Refugee Protection Act* aimed at addressing challenges in the management of security inadmissibility cases, protection of classified information in immigration proceedings, and obtaining diplomatic assurances of safety for inadmissible individuals facing a risk of torture. Subject to government decision, fiscal year 2018–19 includes the anticipated renewal of the Division 9 sunset funding. Furthermore, funding for support of additional judicial appointments for refugee reform under Bill C-11 is included in the planned spending levels but is not available to CAS until these appointments are made. As of the end of 2015–16, four judicial appointments have been made.

## Alignment of Spending With the Whole-of-Government Framework

Alignment of 2015–16 Actual Spending With the Whole-of-Government Framework[v] (dollars)

| Program | Spending Area | Government of Canada Outcome | 2015–16 Actual Spending |
|---|---|---|---|
| Judicial Services | Government affairs | Strong and independent democratic institutions | 27,134,101 |
| Registry Services | Government affairs | Strong and independent democratic institutions | 23,639,751 |

### Total Spending by Spending Area (dollars)

| Spending Area | Total Planned Spending | Total Actual Spending |
|---|---|---|
| Economic affairs | 0 | 0 |
| Social affairs | 0 | 0 |
| International affairs | 0 | 0 |
| Government affairs | 47,113,828 | 50,773,852 |

# Financial Statements and Financial Statements Highlights

**Financial Statements**

The CAS Financial Statements can be found at: http://www.cas-satj.gc.ca/en/publications/dpr/2015-16/pdf/fs-2015-16.pdf [vi]

**Financial Statements Highlights**

**Condensed Statement of Operations (unaudited)**
**For the Year Ended March 31, 2016 (dollars)**

| Financial Information | 2015–16 Planned Results | 2015–16 Actual | 2014–15 Actual | Difference (2015–16 actual minus 2015–16 planned) | Difference (2015–16 actual minus 2014–15 actual) |
|---|---|---|---|---|---|
| Total expenses | 96,294,348 | 101,941,788 | 98,149,017 | 5,647,440 | 3,792,771 |
| Total revenues | 4,919 | 2,875 | 0 | (2,044) | 2,875 |
| Net cost of operations before government funding and transfers | **96,289,429** | **101,938,913** | **98,149,017** | **5,649,484** | **3,789,896** |

***Note:***

The 2015–16 planned results are those reported in the Future-Oriented Statement of Operations[vii] included in the 2015–16 Report on Plans and Priorities.

***Expenses:*** CAS's total expenses were $101,941,788 in 2015–16 ($98,149,017 in 2014–15). The largest components of the increase of $3,792,771 (4%) were increases in professional and special services, as well as accommodations.

- *Salaries and employee benefits:* Salaries and employee benefits expense was $53,678,562 in 2015–16 ($53,908,615 in 2014–15). The $230,053 (-0.4%) variance is due to decreases of $313,395 in the provision for severance benefits and $218,397 in employer contributions to employee benefit plans. These decreases were partly offset by increases of $244,121 in salaries and wages and $57,618 in employer contribution to the health and dental insurance plans (related party transaction). More than half (51%) of CAS's total expenses in 2015–16 consisted of salaries and employee benefits.
- *Operating:* Operating expenses totalled $48,263,226 ($44,240,402 in 2014–15). The $4,022,824 (9%) variance is mainly attributable to increases of $1,908,892 in professional and special services, $1,428,256 in accommodations, $325,509 in machinery and equipment, $235,807 in materials and supplies, and $151,698 in information. These increases were partly offset by a decrease of $381,656 in the amortization of tangible capital assets. Other smaller variances resulted in a net increase of $354,318.

***Revenues:*** The majority of CAS's revenues are earned on behalf of Government. Such revenues are non-respendable, meaning that they cannot be used by CAS, and are deposited directly into the Consolidated Revenue Fund. CAS earns a small amount of respendable revenue from the sale of Crown assets. CAS's gross revenues were $2,979,168 in 2015–16 ($2,597,088 in 2014–15) and net revenues were $2,875 in 2015–16 (nil in 2014–15).

### Condensed Statement of Financial Position (unaudited) As at March 31, 2016 (dollars)

| Financial Information | 2015–16 | 2014–15 | Difference (2015–16 minus 2014–15) |
|---|---|---|---|
| Total net liabilities | 17,487,777 | 17,571,084 | (83,307) |
| Total net financial assets | 11,812,008 | 12,362,300 | (550,292) |
| Departmental net debt | **5,675,769** | **5,208,784** | **466,985** |
| Total non-financial assets | 10,527,383 | 7,756,582 | 2,770,801 |
| Departmental net financial position | **4,851,614** | **2,547,798** | **2,303,816** |

***Note:***

***Liabilities:*** CAS's net liabilities as at March 31, 2016 were $17,487,777 ($17,571,084 as at March 31, 2015). The decrease of $83,307 (-0.5%) is the result of the following:

- ***Accounts payable and accrued liabilities (33% of total liabilities):*** Increase of $624,451 mainly due to a $619,065 increase in accrued liabilities related to salaries and wages.
- ***Vacation pay and compensatory leave (11% of total liabilities):*** Increase of $103,569 mainly due to a $97,276 increase in vacation pay.
- ***Deposit accounts (40% of total liabilities):*** Decrease of $857,610. Because they reflect many separate decisions of the Courts, deposits cannot be projected and the balance in the deposit accounts can vary significantly from year to year.
- ***Employee future benefits (16% of total liabilities):*** Increase of $46,283 due to an increase in the number of employees included in the severance pay calculation.

***Assets:*** The composition of CAS's financial and non-financial assets is the following:

***Financial assets:***

- Due from the Consolidated Revenue Fund (48% of gross assets)
- Accounts receivable and employee advances (7% of gross assets)

***Non-financial assets:***

- Tangible capital assets (44% of gross assets)
- Prepaid expenses (1% of gross assets)

***Net financial assets:*** This is comprised of financial assets net of accounts receivable held on behalf of Government. Accounts receivable held on behalf of Government consist primarily of accounts receivable from other governmental organizations. The decrease of $550,292 is mainly due to a decrease in the amount due from the Consolidated Revenue Fund, which represents the net amount of cash that CAS is entitled to withdraw from the Consolidated Revenue Fund without generating additional charges against its authorities.

***Non-financial assets:*** The increase of $2,770,801 is mainly due to tangible capital assets, as well as a smaller increase in prepaid expenses.

***Departmental net debt:*** This provides a measure of the future authorities required to pay for past transactions and events.

***Departmental net financial position:*** This represents the net resources (financial and non-financial) that will be used to provide future services to the Courts and thereby to benefit Canadians.

# Section III:
# Analysis of Programs and Internal Services

# Programs

## Program 1.1: Judicial Services

### Description

The Judicial Services program provides legal services and judicial administrative support to assist members of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada in the discharge of their judicial functions. These services are provided by legal counsel, judicial administrators, law clerks, jurilinguists, judicial assistants, library personnel and court attendants, under the direction of the four Chief Justices.

### Program Performance Analysis and Lessons Learned

The Judicial Services program is critical to the provision of key services to members of the courts. The program provides support essential to the proper functioning of the judicial system. In 2015–16, the Deputy Chief Administrator of Judicial and Registry Services, along with the Executive Directors and General Counsel, and Senior Legal Counsel continued to address a number of important strategic and management issues in support of CAS's mandated responsibility of safeguarding the independence of the courts. Critical issues addressed during this cycle included matters relating to Shared Services Canada, proposed amendments to the *Access to Information Act*, and the interpretation and application of the *Official Languages Act*. Judicial Services also provided legal advice to the four Chief Justices and other members of the Courts, as well as logistical and substantive support to the respective Rules and Bar Liaison Committees maintained by the four Courts. These include statutory Rules Committees; general as well as specialized practice liaison committees with the Canadian Bar Association, and other bar associations; and regional bar liaison committees and liaison activities.

In 2015–16, the number of court decisions requiring translation continued to increase in volume and exerted a corresponding pressure on available resources. In response, CAS undertook a thorough review of its translation service model to find innovative way to deliver this service, harness the potentials of available technology, increase efficiency and better facilitate the timely posting of court decisions. Furthermore, additional resources were dedicated to meet this priority and translation technology was tested. However, considerable investments are still required to increase translation capacity to the desired level.

Building on plans to improve access to justice to self-represented litigants (SRL) and making resources available in a timely and cost-effective manner, Judicial Services took steps to improve access to the courts practice directions; provided, where possible, easy-to-follow steps for filing proceedings; and navigated SRLs through the hearing stage process.

Judicial Services continued to assist with the review of the Courts Rules to pave the way for electronic service and future possibilities for increased use of technology to better support the needs of the courts and eliminate impediment to the eventual migration from paper records to electronic records and electronic processing. It should be noted, however, that a significant infusion of funds is required in order to accommodate a full range of electronic services beyond those available at this time.

Finally, efforts were deployed to review and update the work descriptions of Judicial Assistants to help attract and retain employees with the skills and competences required to support the needs of the courts. CAS also launched its newest version of its library e-catalogue; this improved version is designed to better meet the information and research requirements of members of the courts and employees.

### Budgetary Financial Resources (dollars)

| 2015–16 Main Estimates | 2015–16 Planned Spending | 2015–16 Total Authorities Available for Use | 2015–16 Actual Spending (authorities used) | 2015–16 Difference (actual minus planned) |
|---|---|---|---|---|
| 23,176,362 | 23,176,362 | 27,605,073 | 27,134,101 | 3,957,739 |

### Human Resources (Full-Time Equivalents [FTEs])

| 2015–16 Planned | 2015–16 Actual | 2015–16 Difference (actual minus planned) |
|---|---|---|
| 186 | 185 | (1) |

### Performance Results

| Expected Results | Performance Indicators | Targets | Actual Results |
|---|---|---|---|
| Members of the courts have the legal services and administrative support they require to discharge their judicial functions. | % of final court decisions posted on the courts' websites within established timeframes. | 95% | 100% |

## Program 1.2: Registry Services

### Description

Registry Services are delivered under the jurisdiction of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. The registries process legal documents, provide information to litigants on court procedures, maintain court records, participate in court hearings, support and assist in the enforcement of court orders, and work closely with the offices of the four Chief Justices to ensure that matters are heard and decisions are rendered in a timely manner. Registry Services are offered in every province and territory through a network of permanent offices and agreements with provincial and territorial partners.

### Program Performance Analysis and Lessons Learned

In 2015–16, the registries of the federal courts continued to maintain service levels despite being pushed to operate beyond capacity and with ongoing increases in workload. These increases stem from a number of factors including the rise in the number of self-represented litigants (who typically require more assistance than litigants represented by lawyers), legislative amendments, as well as the length, greater complexity and nature of hearings. Registry Services strived, within the limits of its resources, to address the impact of workload pressures to continue to ensure the smooth and efficient operations of the four federal courts.

The re-engineering of operational training remained a top priority for the registries. Efforts were devoted to delivering essential training and ensuring that employees had the up-to-date knowledge of the rules and processes required to enhance service delivery levels. Work was also done to streamline, modernize and improve the quality of operational training nationwide. While focus was placed on training related to the release of the second generation of the Digital Audio Recording System (DARS II), attention was also given to other high priority training requirements. Operational training for registry officers and judicial assistants was also predicated on the distinct characteristics and requirements of each Court and calibrated to take into consideration their individual and unique characteristics.

Sustained pressure on the federal courts from legal profession and litigants to facilitate the delivery of services within an electronic environment continued to impact the work of the registries and the courts. To continue to take steps to remove obstacles to e-services, and to pave the way for future possibilities for increased use of technology to better support court requirements, CAS maintained its effort to seek additional funding for investments in the Courts and Registry Management System and the IT infrastructure required to render it capable of supporting electronic document management and the provision of integrated e-services.

Finally, the implementation of DARS II will set the stage for the installation of DARS III, a network version. Efforts exerted to meet this objective included extensive planning and consultation with the courts in 2015–16.

### Budgetary Financial Resources (dollars)

| 2015–16 Main Estimates | 2015–16 Planned Spending | 2015–16 Total Authorities Available for Use | 2015–16 Actual Spending (authorities used) | 2015–16 Difference (actual minus planned) |
|---|---|---|---|---|
| 23,937,466 | 23,937,466 | 24,511,063 | 23,639,751 | (297,715) |

### Human Resources (Full-Time Equivalents [FTEs])

| 2015–16 Planned | 2015–16 Actual | 2015–16 Difference (actual minus planned) |
|---|---|---|
| 282 | 280 | (2) |

### Performance Results

| Expected Results | Performance Indicators | Targets | Actual Results |
|---|---|---|---|
| Public has access to information regarding Courts' processes across Canada. | % of reviewed court documents that are processed accurately | 95% | 93% |

# Internal Services

## Description

Internal services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

## Program Performance Analysis and Lessons Learned

In 2015–16, in order to ensure ongoing operations and mitigate technological risks to the extent possible, CAS focused its IM/IT plans on addressing the high priority issues identified by the IT Architecture and Computing Environment (ACE) Assessment. In particular, progress was made to improve network performance and resolve deficiencies, based on available funding. Efforts were also deployed to secure funding for planned IT activities. Budget 2016 provided $7.9 million over five years to invest in IT infrastructure upgrades to safeguard the efficiency of the federal court system. This funding will allow CAS to implement a five-year IT infrastructure management plan to address rust-out, implement necessary upgrades and address gaps in the IT infrastructure that supports the courts.

Budget 2015 allocated $19 million over five years, starting in 2015–16, to enhance physical and IT security at the federal courts and registry offices. Important progress was made to strengthen security measures that protect the courts, their users, information and assets. CAS also continued to maintain its relationships with the law enforcement community to help mitigate security risks and support CAS's ability to meet its objectives. By implementing new processes, realigning service delivery and reviewing its plans, CAS also strengthened its capacity to prevent, mitigate, and recover from security incidents in a systematic and consistent way.

CAS worked with Public Service and Procurement Canada (PSPC) on the planned relocation of its Québec office and efforts were spent to secure funding for this initiative. Budget 2016 announced up to $2.6 million over two years for the relocation, thereby ensuring continued federal courts presence in Québec City.

During the period covered by this report, CAS supported the government-wide back office modernization project and assisted with the migration of all pay and human resources systems to Phoenix and My GCHR. CAS also continued to work towards ensuring the proper alignment of information management with modern principles, practices and standards. Work continued to identify a document management system which will act as a central repository to create, store and manage information resources of business value.

### Budgetary Financial Resources (dollars)

| 2015–16 Main Estimates | 2015–16 Planned Spending | 2015–16 Total Authorities Available for Use | 2015–16 Actual Spending (authorities used) | 2015–16 Difference (actual minus planned) |
|---|---|---|---|---|
| 16,838,759 | 16,838,759 | 23,350,382 | 21,520,818 | 4,682,059 |

### Human Resources (FTEs)

| 2015–16 Planned | 2015–16 Actual | 2015–16 Difference (actual minus planned) |
|---|---|---|
| 136 | 155 | 19 |

# Section IV:
# **Supplementary Information**

## Supporting Information on Lower-Level Programs

CAS does not have any lower-level programs.

## Supplementary Information Tables

The following supplementary information table[viii] is available on the Courts Administration Service's website.

- Internal Audits and Evaluations

# Organizational Contact Information

## Additional Information

Further information on the strategic planning portion of this document can be obtained by contacting:

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Further information on the financial portion of this document can be obtained by contacting:

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# Appendix: Definitions

**appropriation** *(crédit)*: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

**budgetary expenditures** *(dépenses budgétaires)*: Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

**Departmental Performance Report** *(rapport ministériel sur le rendement)*: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

**full-time equivalent** *(équivalent temps plein)*: A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**Government of Canada outcomes** *(résultats du gouvernement du Canada)*: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

**Management, Resources and Results Structure** *(Structure de la gestion, des ressources et des résultats)*: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

**non-budgetary expenditures** *(dépenses non budgétaires)*: Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance** *(rendement)*: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

**performance indicator** *(indicateur de rendement)*: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

**performance reporting** *(production de rapports sur le rendement)*: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

**planned spending** *(dépenses prévues)*: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

**plans** *(plan)*: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

**priorities** *(priorité)*: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

**program** *(programme)*: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

**Program Alignment Architecture** *(architecture d'alignement des programmes)*: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

**Report on Plans and Priorities** *(rapport sur les plans et les priorités)*: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

**results** *(résultat)*: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

**statutory expenditures** *(dépenses législatives)*: Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

**Strategic Outcome** *(résultat stratégique)*: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

**sunset program** *(programme temporisé)*: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

**target** *(cible)*: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**voted expenditures** *(dépenses votées)*: Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

**Whole-of-government framework** *(cadre pangouvernemental)*: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

# Endnotes

i. *Courts Administration Service Act*, http://laws.justice.gc.ca/eng/acts/C-45.5/page-1.html

ii. *Immigration and Refugee Protection Act*, http://laws.justice.gc.ca/eng/acts/i-2.5/

iii. *Economic Action Plan 2014 Act, No. 2* http://www.fin.gc.ca/pub/c43/index-eng.asp

iv. *Public Accounts of Canada 2016*, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

v. *Whole-of-Government Framework*, http://www.tbs-sct.gc.ca/hgw-cgf/finances/rgs-erdg/wgf-ipp-eng.asp

vi. *Financial Statements*, http://www.cas-satj.gc.ca/en/publications/dpr/2015-16/pdf/fs-2015-16.pdf

vii. *Future Oriented Statement of Operations 2015–16*, http://www.cas-satj.gc.ca/en/publications/rpp/2015-2016/pdf/2015-16-FOSO_e.pdf

viii. *Supplementary Information Table*, http://www.cas-satj.gc.ca/en/publications/dpr/2015-16/ts-2015-16.shtml